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U.S. COURT OF APPEALS
FOURTH CIRCUIT

No. 15-4057

**United States Court of Appeals
for the Fourth Circuit**

BRIAN DAVID HILL
Defendant-Appellant
v.
UNITED STATES OF AMERICA
Plaintiff-Appellee

Appeal from the U.S. District Court
for the Middle District of North Carolina at Greensboro
The Honorable WILLIAM L. OSTEEN JR, District Judge
1:13-cr-435

MOTION FOR STAY OF JUDGMENT for defendant Brian D. Hill

Brian D. Hill (pro se)
916 Chalmers St. – Apt. D
Martinsville, VA 24112
Phone: (276)632-2599

Defendant filed a motion to stay judgment in the district court concerning the Judgment entered by the district court on the 12th day of November, 2014 (Doc #54).

For good cause, the defendant hereby moves this Court of Appeals to grant a partial stay of that judgment., staying any portion of that judgment which would return, forfeit, release, destroy, or in other manner dispose of property related to this case for 180 days from the entry of the stay.

BACKGROUND:

Within the judgment (Doc #54) was a box checked for :

“The defendant shall forfeit the defendant's interest in the following property to the United States: to the extent any personal items not related to the offense of this investigation, the United States is authorized to return those items to Mr. Hill at the conclusion of any appeals period.”

There was no explicit identification about what specific property would be included within the meaning of “the following property”.

The reason for the Motion for stay of Judgment was stated in the District Court that the defendant requested an independent forensic examination (Doc #59, Doc #58, and Doc #36) of his computer and hard drives to help prove his legal Innocence to the charge. If the computers are disposed of or destroyed then this will harm the defendant in his ability to prove his Innocence or find additional evidence to aid in his defense in a jury trial.

The defendant requests in addition to this MOTION request above that any personal items not related to the offense of this investigation, be returned to the defendant and his mother Roberta Hill (Some of the seized property actually belongs to Ms. Hill) upon the granting of this Motion since they hold no evidential value and will not have any ability to aid the United States in their prosecution.

Thank You!

Respectfully submitted,

Brian D. Hill

Signed

Brian D. Hill (pro se)

916 Chalmers St. – Apt. D, Martinsville, VA 24112

Phone: (276)632-2599

CERTIFICATE OF SERVICE

I hereby certify that service was made by mailing
a true and correct copy of the foregoing MOTION TO STAY JUDGMENT
by deposit in the United States Mail, Postage prepaid,

on February 2nd, 2015 addressed to:

Mr. Anand P. Ramaswamy
Assistant United States Attorney
101 South Edgeworth Street
Greenboro, NC 27401

Brian D. Hill

Signed

Brian D. Hill (pro se)
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Filed: 02/05/2015

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Brian David Hill
916 Chalmers St., Apt. D
Martinsville, VA 24112

USWGO

Brian D. Hill
Signed

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Richmond, VA 23219
NOTE: MOTION

Mailed February 2, 2015

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